ants should not be excused. The case would, of course, be quite different if the defendants knew the injurious nature of the book but were honestly certain of its truth. That is properly a question of privilege. Here the defendant is not connected with the act at all. The case is, however, full of suggestion for librarians.

DAVID DUDLEY FIELD was a man whose life-work was directed toward two ends: simplification of procedure, and codification of substantive law. He lived to see the first well accomplished. The cobwebs have been removed and the old wine of justice is no longer kept inaccessible in the cellars of the Circumlocution Office. But while common-law pleading has gone everywhere, barely a State or two has adopted a code of substantive law, and Judge Dillon, in his recent valuable book, is in favor of no greater kind or degree of codification than that recommended by Joseph Story, Theron Metcalf, Simon Greenleaf, and the other Massachusetts Commissioners, who reported on the subject in 1836, eleven years before Mr. Field began to use the broom which has swept away the old forms.

CONSTITUTIONAL LAW: APPROVAL OF BILL AFTER ADJOURNMENT OF CONGRESS. — The various ways in which the President may treat a bill presented to him for consideration are expressly provided for by the Constitution (Art. I. Sec. 7, cl. 2) except one. Of the effect of the President's approval of a bill after Congress adjourns, nothing is said. Whether such a contingency was foreseen by the framers of the Constitution or not, it may be presumed that the omission was intentional and that no provision was expressly made to meet such a case because it was deemed to be sufficiently dealt with by implication. For over a century the practice of the Executive has been in accordance with the general interpretation of this clause, — that an adjournment of Congress within ten days after the bill has been presented to the President, and before he has acted upon it, precludes any further action on his part; but the cases have been so rare in which the President has approved a bill after an adjournment that the right to do so is for the first time judicially considered in the case of *United States* v. *Weil et al.* (Court of Claims, Apr. 1894). In an opinion which shows careful research in its historical treatment of the veto power, Judge Nott explains away the practice and reaches a conclusion contrary to the previously accepted interpretation of the clause. So able is his argument that the question may fairly be termed an open one.

The practice on the part of the Executive of signing a bill only before an adjournment became well established before its inconvenience was foreseen. So fearful were succeeding Presidents lest they should give to an act the suspicion of unconstitutionality that only in two instances has a bill been retained for consideration and approval after an adjournment. President Lincoln signed the Captured Property Act on March 12, 1863, after the term of the Thirty-Seventh Congress had expired, and notwithstanding the fact that the bill did not reach him till after the adjournment. His right to approve the bill was the subject of an adverse report by the House Judiciary Committee of the next Congress, but no vote was taken upon it, and the act became so generally recognized as valid that the constitutionality of the procedure never arose for